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February 26, 2016

VIA ECF AND HAND DELIVERY

The Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

**Re: Ames Dep't Stores, Inc. v. Lumbermens Mut. Casualty Co.,
(In re Ames Dep't Stores, Inc.), Civ. A. No. 12-8365 (ALC)**

Dear Judge Carter:

On behalf of Ames Department Stores, Inc. ("Ames"), the plaintiff in this action, we enclose a courtesy copy of Ames' response to the defendant's objection to the Report and Recommendation issued by the Honorable Robert E. Gerber.

Pursuant to Bankruptcy Rule 9033(b) – which is virtually identical to Federal Rule 72(b)(2) – the briefing on this objection is now complete. Should the Court desire oral argument, we respectfully request that such argument be scheduled promptly. This action, filed in 2006 as an adversary proceeding in Ames' 2001 bankruptcy case, and scheduled for trial in October 2012, is the most significant remaining matter in this 15-year old Chapter 11 case.

Respectfully submitted,


Avery Samet

Enclosure

cc: Mark S. Gamell, Esq. (via ECF)
Bijan Amini, Esq.